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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,756	08/28/2001	Koji Ogusu	01-193	3229

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EXAMINER

KOVALICK, VINCENT E

ART UNIT	PAPER NUMBER
2673	8

DATE MAILED: 05/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/939,756

**Applicant(s)**

OGUSU ET AL.

**Examiner**

Vincent E Kovalick

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 8-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is in response to Applicant's Amendment dated February 26, 2004 in response to USPTO Office Action dated December 3, 2003. The cancellation of claims 1-7; the amendments to claims 8-10; the addition of new claims 11-19 and Applicant's Remarks have been reviewed and entered in the record.

Regarding Applicant's remarks relative to claim 8 indicating that the combination of Takada and Ishizuka is improperly motivated since Takada is directed to an LCD print head whereas Ishizuka is directed to a luminous or electro-luminescent (EL) display" Said remarks are rendered moot in light of new prior art introduced relative to said limitation as a result of the amendment to said claim 8.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 8-19 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Ushigusa et al. (USP 6,229,267).

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Relative to claims 8, 12, 15-16 and 19, Ushigusa et al. **teaches** a display apparatus having capacitive light-emitting devices, such as organic electroluminescence devices, and the method for driving the apparatus (col. 5, lines 26-67; col. 6, lines 1-67 and col. 7, lines 1-63); Ushigusa et al. further **teaches** driving an electroluminescence device having a plurality of luminous elements provided at intersections of a plurality of anode lines and a plurality of cathode lines arranged in a matrix, the anode lines being a one of scan lines and drive lines and the cathode lines being an other of scan lines and drive lines, the driving method comprising: driving one of the plurality of luminous elements provided at an intersection of a desired drive line to emit light in synchronism with scanning while scanning the scan line at a specific frequency (cols. 1-2, lines 62-67; col. 3, lines 1-7; col. 8, lines 63-67; col. 9, lines 1-51 and Fig. 11); further still, Ushigusa et al. **teaches** an already selected scanning line is switchedly connected to a source voltage to apply a reverse bias to the one of the plurality of luminous elements connected to the already selected scanning line, and at the same time remaining scanning lines other than the already selected scanning line are switchedly connected to a ground voltage so as to discharge a charge stored to others of the plurality of luminous elements connected to remaining scanning lines, in a course of switching from the already selected scanning line to a next scanning line (col. 9, lines 21-26). It being understood that the structure of the device as taught by Ushigusa et al. would facilitate generating any combination of voltage and ground signals applied to any combination of anode and cathode lines as would be required to control holding data on any particular EL device associated with a particular scanning line while discharging the EL devices associated with other scanning lines.

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Regarding claims 9, 13 and 17, Ushigusa et al. further **teaches** the driving method wherein the plurality of luminous elements includes current injection type luminous elements (col. 1, lines 33-48).

Relative to claims 10, 14 and 18, Ushigusa et al. still further **teaches** said driving method wherein the current injection type luminous elements include organic electroluminescent elements (col. 8, lines 63-66)

As to claim 11, Ushigusa et al. teaches the driving method wherein electric charges stored to the other luminous elements are discharged to zero by switchedly connecting the remaining scanning lines to the ground voltage (col. 9, lines 21-26).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6,380,689 Okuda

U. S. Patent No. 6,351,255 Ishizuka et al.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### *Responses*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E Kovalick whose telephone number is 703 306-3020. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vincent E. Kovalick  
May 18, 2004



BIPIN SHALWALA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600